

UNITED STATES BANKRUPTCY COURT
DISTRICT OF UTAH

MEMORANDUM

TO: Bankruptcy Practitioners
Pro Se Debtors

FROM: United States Bankruptcy Court Clerk

SUBJECT: Chapter 13 Checklist

NOTICE TO DEBTORS FILING A PETITION UNDER CHAPTER 13
WITHOUT THE CHAPTER 13 PLAN

The Court's policy regarding mailing of a Chapter 13 Plan with the § 341 notice is:

Any plan that is docketed and imaged prior to the processing of the § 341 Notice to the Bankruptcy Noticing Center will be included with the § 341 Notice of Meeting of Creditors. The debtor is responsible for sending a copy of the Plan to the Trustee and to each creditor if the Plan was not mailed by the Court. If a Plan is not filed within 15 days of the filing of the case, your case may be dismissed.

CHECKLIST FOR CHAPTER 13

Minimum Requirements at Time of Filing

- ☐ check/cash/money order/credit card payment for \$189. **(The Court cannot accept a check from debtor[s].)**

Original only of the following:

- ☐ Mailing matrix - original only -
creditor listing in alphabetical order with correct addresses not to exceed 4 lines in Courier 10, Prestige Elite or Letter Gothic font. Local Rule 5005-1(c)
NOTE: Please e:mail matrix; instructions on Court's website www.utb.uscourts.gov
- ☐ Mailing matrix of domestic support creditors, if any, as defined in § 507(a)(1)(A) and (B), formatted as above
- ☐ Petition (Official Form 1 Revised 10/05) signed by debtor(s) and/or attorney/petition preparer (with § 342(b) certification)
- ☐ 1. certification on the petition that debtor received prefiling budget and credit counseling during the 180-day period before the petition was filed, AND a certificate from the counseling agency describing the services provided to the debtor and copy of the debt repayment plan, if any, developed through the agency as required by § 521(b); OR
- ☐ 2. a request for waiver under § 109(h)(3)(A) on the petition, AND file a separate application for exemption and a pending order granting the application, OR
- ☐ 3. a request for determination under § 109(h)(4)
- ☐ If individual with primarily consumer debts, Notice to Individual Consumer Debtor
- ☐ Declaration of Attorney
- ☐ Statement of Social Security Number (Official Form 21)

OVER

Additional Filing Requirements

(must be filed within 15 days after filing the petition)

Original only of the following:

- ☐ Schedules A through J (Official Form B6 revised 10/05)
- ☐ Statement of Financial Affairs (Official Form 7 revised 10/05)
- ☐ Copies of all payment advices or other evidence of payment received within 60 days before the date of the filing of the petition, by the debtor from any employer of the debtor, or a statement under penalty of perjury concerning payment advices
- ☐ Chapter 13 Plan
- ☐ Statement disclosing compensation paid or promised to be paid to the attorney for the debtor
- ☐ Statement of Current Monthly Income and Means Test Calculation (Official Form 22C)
- ☐ Statement re: Notice to Debtor (Official Form 19A)
- ☐ Record of any interest that debtor has in an education individual retirement account or a qualified State tuition program as set forth § 521(c)

Refer to Standing Orders #1 and 2; Local Rule 5005-1 for Filing Papers-Requirements

The debtor must also provide to the trustee not later than 7 days before the date first set for the first meeting of creditors, a copy of the Federal income tax return for the most recent tax year ending immediately before the commencement of the case.

The debtor must also provide to the trustee at or before the meeting of creditors:

Proof of all charitable contributions made within 60 days before the date of the filing of the petition;
A copy of the most recent county property tax assessment for all real property listed on Schedule A;
A profit and loss statement if a debtor had self-employment income for the 60 days prior to filing, including income reported on an IRS Form 1099; AND
A business questionnaire for each business operated by the debtor 60 days prior to filing.

Not later than the day before the date on which the meeting of creditors is first scheduled to be held, the debtor must file and serve on the Trustee a declaration regarding tax returns.